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Labor migration to Russia provides work for about 5 million Uzbeks, Tajiks and Kyrgyz. Thanks to remittances this migration has become the backbone of their countries' household economies. For all three countries, dependency on Russia has changed faces and migration is now a key element of the portfolio of bilateral relations with Moscow. Migration can be used either as a soft-power tool to promote Russia's language, its culture and worldview, or as a hard-power one for the negotiation of geopolitical allegiance to the former center. But Russia's own policy toward migration is mixed, especially as the authorities are attempting both to respond to the rise of xenophobia and to supply the economy with cheap workforce. In these conditions, what are the key ambiguities of Russia's migration policy and how can a more effective policy be framed?

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Russia's Migration Policy for Central Asia: Missed Opportunities?

How to do you judge the evolutions of Russia's policy toward labor migration? Do you think the new laws will improve or worsen the situation of Central Asia migrants working in Russia?

Ahmat Madeyev

Recent changes in Russian migration policy reflect growing contradictions within Russia itself. On the one hand, the authorities need to

respond to nationalistic claims, which generate and propagate myths about migrants disturbing public spaces and committing various crimes. On the other, they need to consider the interests of business community, which requires cheap, often unskilled labor. Despite various measures taken, Russia's demographic situation remains alarming and requires decisive action. New, recently adopted rules are designed to better integrate migrants in Russian society and motivate them to seek naturalization in their host country. This

conflicts with the interests of the migrants' countries of origin. As a result, one can expect growth in the number of migrant workers who wish to take Russian citizenship, but also a dramatic increase in the number of unregulated workers. They will become "easy targets" for Russian law enforcement agencies, which will sustain corruption within the bodies that regulate migration. Quotas of detained illegal migrants may serve as performance indicators for these agencies.

Vladimir Malakhov

If one considers policy to be a set of consistent actions, then no labor migration policy exists in Russia. Liberal measures are followed by restrictive backlash. There is a huge gap between the law and its enforcement, wherein actual practices contradict the spirit of the law. The Russian authorities seem to be trapped in a contradiction between economic rationality and short-term political benefits. A growing economy and shrinking working-age population require imported labor; however, this idea is extremely unpopular. Russia also needs to maintain its geopolitical influence in Central Asia. Due high levels of anti-migration sentiment among the public, the government instead has had to demonstrate its commitment to securing the national labor market and fighting against excessive immigration. This explains the inherent conflicts between amendments to the foreign citizens law (which make it easier for newcomers to acquire Russian citizenship) and the introduction of the permit system for labor migrants from former Soviet states (which improves employment) on one hand, and the new registration system restrictions (which makes it more difficult for labor migrants to get legal status in Russia) on the other.

Vladimir Mukomel

Until summer 2012, Russian migration policy was headed in a constructive direction. That June, the government adopted a pragmatic and sufficiently liberal state migration policy concept that would carry through 2025. However, the very next day the government took a 180 degree turn from this concept, and the Russian president made statements contradictory to its letter and spirit.

The action plan for the implementation of the concept was approved in August 2012, mainly due to inertia, but all further measures have been aimed at tightening migration policy. Legislation signed since autumn 2012 and draft laws discussed in the parliament have sought to hinder migrants' access to jobs, shorten their stays in Russia, and make employers more culpable for hiring illegal immigrants. For migrant workers, especially citizens of the Central Asian states, this has represented a dramatically deteriorating situation.

The contradictions in migration policy can be explained by two factors. First, there is no consensus in society or among the ruling elite on the goals and objectives of migration policy. According to one point of view, Russia faces serious demographic, economic, and geopolitical challenges, and the country has no choice but to welcome migrants. By another, the future of the country hinges on the preservation of a core Russian-Orthodox culture and the influx of migrants of different ethnicities is unacceptable. The second factor that has led to a departure from pragmatic migration policy is the rise of xenophobia, which the authorities themselves have largely inspired in order to reorient the target of social dissent.

Saodat Olimova

Until 2000, the development of Russian migration policy had been influenced by the processes that followed the breakup of the Soviet Union and by sovereignty-building in CIS countries. From the 2000s, migration policy was associated directly with economic development and labor market dynamics. In 2002, Russia approved a federal law on the legal status of foreign nationals, which introduced the first quotas for foreign labor, and in 2003, the government allowed for a quota of 530,000 permits. In 2007, a pre-crisis year of economic recovery, Russia approved a new federal law on migration registration for foreign citizens and amendments to the law on the legal status of foreign citizens. They simplified the procedures to register and obtain a work permit. Previously, an employer had to get a permit to employ foreign labor, but the amendments approved in 2007 provided for foreign workers to themselves apply for permits and then look for

a job. Also in 2007, Russia approved the largest quota for foreign labor, 6 million people; in Moscow alone, the quota was 810,000 people.

After the 2008 economic crisis, quotas in Russia were sharply reduced, legislation was tightened, and deportations of migrants became more frequent. The migration regime softened somewhat before another round of tightening during the election campaign, when migration issues became a hot topic of political debate. In 2013, further tightening of immigration policy occurred on a background of economic stagnation and the anticipation of lean years to come. A marked increase of the 2013 quota for foreign labor in Moscow (up 200,000 people) was approved due to the city's growing needs for an inexpensive and disenfranchised workforce.

But in 2014, immigration legislation and the migration regime have become even more stringent. On January 1, 2014, amendments came into effect on the federal law on the procedure for exiting from and entering into the Russian Federation, and on Article 5 of the federal law on the legal status of resident foreign citizens. These new rules stiffen liability for registration violations and migration control. From this year, fictitious registration (inclusive of registration of premises where an individual did not intend to reside) will become a criminal offense subject to a heavy fine or imprisonment for up to three years.

The overall tightening of Russian migration legislation in 2013-14 has been undertaken in an attempt to improve economic efficiency by lowering labor costs in a situation of economic stagnation. It is clear that in these conditions, the situation of Central Asian migrants has worsened and may deteriorate further. Migrants now have to adhere to two basic strategies: 1) get Russian citizenship at any price; and 2) work and live in the shadows, a strategy which increases risks and reduces the cost-effectiveness of their migration by increasing incidences of corrupt payments.

Do you agree with the Russian mainstream narrative that labor migrants from Central Asia are used by drug traffickers and Islamist networks?

Ahmat Madeyev

The belief that migrant workers are used in illicit drug transit is an old myth that certain political forces and law enforcement agencies promote. A media analysis makes it clear that drugs are transited in quantities of tens or even hundreds of pounds, and typically not by migrant workers. Individual cases of labor migrants caught in drug trafficking do not affect the overall picture. Furthermore, the organization of drug delivery channels is impossible without engaging Russian citizens. Russia's Federal Migration Service (FMS) estimates that the share of crimes committed by migrant workers (about 3.7% of the total) is much less than those committed by Russian citizens. Most migrant offenses involve the violation of immigration law.

As for the dissemination of radical Islamic ideas, migrant workers are not so much distributors but their final consumers. Low levels of education, high concentrations in certain neighborhoods, and difficult living and working conditions historically have created fertile ground for the spread of extremism, not only of the Islamic variety.

Vladimir Malakhov

This is a myth that right wing populists created and careless journalists circulate. International labor migration and international crime and terrorism involve completely different flows of people. Every responsible politician recognizes this. Recently FMS head Konstantin Romodanovsky was asked about *gastarbeiters* involvement in criminal networks. He replied: "Are you aware how many children ordinary labor migrants from Central Asia have? Five, six, or seven, so they work hard and do not have time for anything else."

Vladimir Mukomel

Migrants from Central Asia are the most numerous in the Russian labor market, visually distinguishable from the majority ethnicity, and typically do not worship the majority religion – as such they are ideal scapegoats. Along with charges of drug trafficking and Islamism, public opinion is shaped by prevailing ideas about the supposedly high number of crimes committed by migrants, the negative impact of Central Asian migration on public health and infectious disease, and the low capacity of migrants to adapt. Politicians and the media have had a decisive role in shaping this mythological discourse on migrants.

Saodat Olimova

In 2003, I wrote that labor migration and drug trafficking networks are minimally connected to one another; when they intersect, it is only at the personal level. The situation has changed since then. Now criminal intermediaries (human traffickers) are supporting much of the labor migration from Tajikistan. However, it is difficult to assess if these criminal networks interact with drug trafficking networks on an intermittent basis. The large majority of migrant workers does not traffic drugs from Tajikistan and does not sell them. Among migrants, there are very low levels of drug abuse, as was discovered in the course of two behavioral research projects on HIV/AIDS carried out among migrant workers and their families in 2005 and 2010-11, with the support of the International Organization of Migration (IOM). Yet the network of traffickers and intermediaries, which was established on the labor migration phenomenon and feeds on it parasitically, does have contacts with drug trafficking networks.

With regard to Islam, it is true that during migration Tajik and Uzbek migrants continue to practice Islam, form their own religious communities, and attend mosques. Accordingly, they are subject to the influence of general trends developing in Islam. Migrant religious communities increasingly practice Salafism, and internet use can activate contacts with Islamist networks. Nevertheless, in observing the situation as a whole, no serious contact can be

observed between Islamist and migration networks.

There are two opposite processes underway in labor migration: some migrants become more active in their faith and some remain non-practicing Muslims. The majority of Tajik and Uzbek migrants work on construction sites; they have little time to browse the internet, go to mosque every Friday, or organize theological debates. Moreover, they are mainly traditionalist believers practicing Islam as *musafir* – or travelers and immigrants – which allows even the most devout to reduce their religious practices. Some pray only twice a day, in the morning and evening. Others do not pray at all, but resume a five-time daily *namaz* when they return home. They rarely participate in ceremonies and do not read the Koran. As for Kyrgyz, Kazakhs, and Turkmens, their situation is markedly different. They have a different profile of migration and are employed in other sectors. They also tend not to have such strong preexisting Islamic traditions, so the proselytizing of radical ideas among them could become more common.

What would be the correct Russian policy toward migrants in terms of registration, work permits, quotas by professions or region, health insurance, and pensions?

Ahmat Madeyev

The most necessary measures should take into account the following:

1. Quotas on qualifications and professions should be applied only in regions where there is a labor surplus.
2. Labor market regulation should be based on analytical findings, including the review of permanently vacant positions, according to which employers can attract foreign labor.
3. Large-scale “migration amnesty” is necessary to legalize migrant workers or otherwise settle their legal status.
4. Procedures for issuing permits should be reconsidered. The term of work for temporary foreign laborers should be extended from one year to three, with a possible addition of extra

time at the request of the employer if no violations are made.

5. The role of NGOs in addressing migration issues should be strengthened.

6. Bilateral negotiations with partners within the CIS and other organizations should be intensified.

7. Russia should join existing ILO and UN international migration conventions.

Vladimir Malakhov

All of these measures would make sense only within a thoroughly elaborated system of actions. The main point of any framework should be a reduction in the scale of the shadow economy, which is responsible for distortions in the labor and housing markets, employers' use of migrants as quasi slaves, and for the endemic corruption in the issue of residence and work permits. It is doubtful whether the foreign labor quota system is needed at all. However, if it is needed, it could only be effective under the condition that quotas are set in the regions and as a result of negotiations between local employers, local trade unions, and local authorities – not in bureaucrats' offices in Moscow.

Vladimir Mukomel

The key objectives of migration policy are to reduce illegal migration, help migrant workers adapt, and integrate those who want to build their future in Russia. The reduction of illegal migration should not be pursued through limitations. Rather, it should take the migrants out of the shadows by ensuring that law-abiding immigrants can legalize their stay and work. Registration, work permits, migrant selection, and other instruments of migration policy should be based on clear and transparent procedures. Quota systems are not very effective, and have been criticized by experts and most government agencies. The abolition or radical transformation of quotas is only a matter of time. Issues such as health insurance and pensions for migrants are important, but not as relevant as issues of migrants' interaction with law enforcement agencies, the legalization of their stays, access to labor markets, work conditions, wages, and discrimination. In any case, prior to the development of mechanisms for health insurance

and pensions for migrant workers, their legal status should be settled.

Saodat Olimova

The Russian government should simplify the legislative and administrative procedures on the control and regulation of migration.

It should provide opportunities for legally employed workers to renew their right to stay in Russia without the need to go to another country, and to protect migrant workers from exploitation and socio-economic discrimination by:

- Abolishing quotas;
- Not opposing the development of trade union movements;
- Importantly, reducing the shadow labor market, and making the rule of law a priority.

It is necessary to investigate violations committed by employers, intermediaries, and the police in relation to migrants, as well as to:

- Stop detaining migrants in “deportation centers” where conditions are comparable to prison;
- Implement bilateral and multilateral programs to inform and protect the rights of migrants, ensuring that migrants and their families have an access to education, social protection, and medical care (see below); and
- Conduct advocacy campaigns to protect the rights of migrants and to ensure access to social services for them.

Russia needs to implement policies and practices in the medical system that will eliminate the economic, administrative, and linguistic barriers to migrants' access to HIV prevention and health services.

How can countries of origin – Tajikistan, Kyrgyzstan, and Uzbekistan – frame their requests to Russia in order to improve the local benefits of their massive out-migration?

Ahmat Madeyev

There are several ways in which Central Asian countries could frame their requests to Russia

both within international legal frameworks as well as through informal channels. In the first case, Central Asian countries could make a stronger effort to increase the effectiveness of regional organizations such as the SCO, CIS, and EurAsEC. The OSCE, UN, and other international institutions should also be used for this purpose, as well as to create closer bilateral relations between each of these nations and Russia. It would be logical for these countries to coordinate their efforts in negotiations with Russia, but this has not happened yet. In the second case, personal relationships between high-ranking officials and decision-making circles would speed the work up more effectively than using public formats. This way, urgent issues that require immediate solutions could be addressed. Finally, given the prospects of demographics and other aspects of migration, labor market development, and labor force dynamics, it seems that the most effective way to influence Russia is through joint programming or the design of migration policies.

Vladimir Malakhov

It seems reasonable for these countries to request a transparent and coherent legal system regulating migration to/in Russia. Crucial components include closing the gap between the law and its enforcement, reducing corruption in recruitment processes, and counteracting *de jure* and *de facto* discrimination against *gastarbeiters*. In other words, the countries of origin should ask the Russian authorities to prove their commitment to the rule of law.

Vladimir Mukomel

The countries that send migrants to Russia have limited influence. It is useless for them to appeal to human rights and freedoms, and Russia rarely violates its international obligations, which are very narrow in any case. As past experience shows, countries of origin are able to achieve their aims by linking migration with other issues of bilateral and sometimes multilateral relations.

Saodat Olimova

Above all else, cooperation is needed between unions, the Russian agencies that control and regulate migration, and the border services of the

countries of origin. There should be a CIS and international lobby urging Russia to sign the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It also is necessary to promote the establishment of a network of NGOs and diasporas in the countries of origin and in Russia in order to protect the rights of migrants and their families, and organize information and campaigns.

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